

S.N.: 10/676,343
Art Unit: 2618

AMENDMENTS TO THE DRAWINGS:

The attached 2 sheets of formal drawings replace the original 2 sheets of informal drawings.

Attachment: Replacement Sheets 2

REMARKS

Although the original title is deemed to be indicative of the invention to which the claims are directed, a new title is provided above, as required by the Examiner.

The enclosed two sheets of formal drawings should replace the originally filed two sheets of informal drawings. In the objection to the drawings the Examiner notes that Figure 1 as filed is informal, and "does not illustrate how the time multiplexing technique operates." It is noted that Figure 1 is described in the specification as being "a simplified block diagram of a CDMA receiver that is suitable for practicing this invention", while Fig. 2 is described as showing "an Active/Candidate/Neighbor base station search pattern executed by the searcher of Fig. 1 during the Traffic state", and that Figure 3 is described as illustrating a "C/I searcher finger management procedure in accordance with this invention." As such, it is asserted that Figures 1, 2 and 3 are clearly descriptive of the exemplary embodiments of this invention, that together they clearly "illustrate how the time multiplexing technique operates", and that the submission of the attached two sheets of informal drawings should be found to fully and completely respond to the objection to the drawings under 37 CFR 1.121(d).

The allowance of claims 17-19 is noted with appreciation.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (US 6,539,006 B1) in view of Tamura (US 6,907,049 B1). The rejection is respectfully disagreed with, and is traversed below.

In characterizing Taylor the Examiner states that Taylor "does not teach time multiplexing", but that Tamura teaches this in col. 8, lines 49-54. The Examiner then states since both of these references teach "monitoring signal strength radio [sic: ratio] in spread spectrum technique" that it would have been obvious to "multiplex, received channels timely", etc.

It is respectfully submitted that while Taylor teaches a mobile station with a searcher and a

RAKE receiver that demodulate signals from plural base stations, what Tamura is actually describing in col. 8, at lines 42-54, is the following:

"FIG. 5 is a block diagram showing an example of the **internal arrangement of the base station 2** in FIG. 3.

A CRC bit adding section 41 adds a CRC bit for error correction to information data to be transmitted. A convolution coding section 42 performs convolution coding of the data.

A bit interleaving section 43 interleaves the output from the convolution coding section 42 to reduce the fading effects on the data. A time slot segmenting section 44 segments the data into slots. A pilot symbol adding section 45 then **time-multiplexes pilot symbols with the slots to form time slots.**"

That is, that cited portion of Tamura is descriptive of the operation of the base station transmission circuitry (see col. 8, lines 63-64, i.e., "The resultant data are then transmitted"). More specifically, the portion of Tamura cited by the Examiner is descriptive of circuitry for time multiplexing pilot symbols into time slots containing data that is eventually transmitted to a mobile station.

It is not understood how the Examiner would combine the base station transmission circuitry pilot symbol multiplexing arrangement of Tamura with the mobile station receiver/searcher, etc. of Taylor that is used to receive signals from base stations.

It should be clear that one skilled in the art would not look to these particular teachings of Tamura to combine with the mobile station searcher/receiver of Taylor. Further, it is not clear what relationship the multiplexing of pilot symbols into data-containing slots in a base station transmitter has to do with a RAKE receiver and searcher of a mobile station as in Taylor. In any event, it is clearly the case that the subject matter of claims 1-16, as filed, in not suggested or rendered obvious by such a proposed combination, without admitting or implying that such a combination is at all workable, or is even remotely suggested by a reading of these two references.

Claim 1 is drawn to a method to operate a spread spectrum **receiver with an active set of base stations** that comprises monitoring a current serving base station of the active set with a first set of fingers; and simultaneously monitoring individual ones of remaining base stations of the active set, where one of the remaining base stations is designated as a Candidate base station for potentially replacing the current serving base station and is monitored continuously by a second set of fingers, and **where the other remaining ones of the base stations of the active set are monitored in a time multiplexed manner by a third set of fingers.**

Independent claim 9 is drawn to a spread spectrum **receiver operable with an active set of base stations** that comprises a first bank of demodulators comprising a Set Searcher for monitoring a current serving base station of the active set; and a second bank of demodulators comprising a C/I Searcher for simultaneously monitoring individual ones of remaining base stations of the active set, where one of the remaining base stations is designated as a Candidate base station for potentially replacing the current serving base station and is monitored continuously by a first set of fingers of the C/I Searcher, and **where the other remaining ones of the base stations of the active set are monitored in a time multiplexed manner by a second set of fingers of the C/I Searcher.**

Clearly the Examiner's proposed combination of Taylor and Tamura does not render obvious the independent claims 1 and 9, does not suggest the claimed subject matter to one skilled in the art, and is an improper combination that should be withdrawn.

In that claims 1 and 9 are clearly patentable over the proposed combination of Taylor and Tamura, then the dependent claims 2-8 and 10-16 are clearly patentable over the proposed combination for this one reason alone, without addressing the merits of these claims individually.

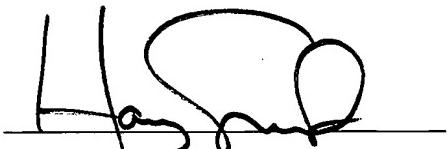
Claims 20-27 are newly added. Support for these claims is found in the specification at least at page 9. No new matter is added.

The Examiner is respectfully requested to reconsider and remove the rejections of the claims

S.N.: 10/676,343
Art Unit: 2618

under 35 U.S.C. 103(a) based on Taylor in view of Tamura, and to allow all of the pending claims 1-27 as now presented for examination. An early notification of the allowability of claims 1-27 is earnestly solicited.

Respectfully submitted:



Harry F. Smith

8/22/2006
Date

Reg. No.: 32,493

Customer No.: 29683

HARRINGTON & SMITH, LLP
4 Research Drive
Shelton, CT 06484-6212

Telephone: (203)925-9400
Facsimile: (203)944-0245
email: hsmith@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

8-22-06 Ann Okrentowich
Date Name of Person Making Deposit